

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION

DALE WILLIAM GILLEY,	)	
	)	
Petitioner	)	
	)	
v.	)	Case No. 5:11-cv-00767-SLB
	)	
WARDEN HETZEL and	)	
THE ATTORNEY GENERAL OF	)	
THE STATE OF ALABAMA,	)	
	)	
Respondents	)	

**DISMISSAL ORDER**

On March 15, 2011, the magistrate judge's report and recommendation was entered and the parties were allowed therein fourteen (14) days in which to file objections to the recommendations made by the magistrate judge. On March 28, 2011, petitioner filed objections to the magistrate judge's report and recommendation.

After careful consideration of the record in this case, the magistrate judge's report and recommendation and the petitioner's objections thereto, the court hereby **ADOPTS** the report of the magistrate judge. The court further **ACCEPTS** the recommendations of the magistrate judge and it is therefore

**ORDERED, ADJUDGED and DECREED** that the petition for writ of habeas corpus in this action be and the same hereby is **DISMISSED** pursuant to 28 U.S.C.

§ 2244(b) and, alternatively, pursuant to 28 U.S.C. § 2244(d), and, alternatively, for failure to comply with 28 U.S.C. § 2244(b)(3)(A).

DONE this 24th day of May, 2011.

A handwritten signature in black ink, reading "Sharon Lovelace Blackburn". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

SHARON LOVELACE BLACKBURN  
CHIEF UNITED STATES DISTRICT JUDGE